

SENATE BILL REPORT

HB 1641

As Reported By Senate Committee On:
Natural Resources, Ocean & Recreation, February 16, 2006

Title: An act relating to decriminalizing vessel registration violations.

Brief Description: Decriminalizing vessel registration violations.

Sponsors: Representatives Kretz, Blake, Ahern, Buri, Ericks, Serben, DeBolt, Schindler, Kristiansen, Condotta, Orcutt, Strow, Cox, Buck and Armstrong.

Brief History: Passed House: 2/09/06, 98-0.

Committee Activity: Natural Resources, Ocean & Recreation: 2/15/06, 2/16/06 [DP]

SENATE COMMITTEE ON NATURAL RESOURCES, OCEAN & RECREATION

Majority Report: Do pass.

Signed by Senators Jacobsen, Chair; Oke, Ranking Minority Member; Fraser, Morton, Spanel, Stevens and Swecker.

Staff: Curt Gavigan (786-7437)

Background: The laws relating to vessel registration are found in Chapter 88.02 RCW. The chapter contains provisions relating to: vessel dealer registration; confidential registration; the registration process; certificates of title; records of purchase and sale; and vessel inspection.

Specifically, the vessel registration chapter contains a general requirement that persons may not own or operate a vessel on the waters of the state unless the vessel has been registered and displays the proper information. A vessel is defined as "every watercraft used or capable of being used as a means of transportation on the water, other than a seaplane." A list of exceptions to the registration requirement is also included, including exceptions for government vessels and vessels that meet certain size and horsepower criteria.

The owner or operator of a vessel is required to provide certification of registration, upon request, in order to allow enforcement officials to ascertain the legal and registered ownership of a vessel.

Unless specifically provided otherwise, a violation of laws and rules relating to vessel registration requirements is considered a misdemeanor. The penalties for a violation are specified as fines not to exceed \$100 for a first violation, \$200 for a second violation, and \$400 for the third and each successive violation that occur in the same year.

A class 2 infraction is punishable by a fine not to exceed \$125, not including statutory assessments.

Summary of Bill: Violations of the requirements (1) to register a vessel and display the required information and (2) to produce certification of registration upon request of an enforcement official are changed from misdemeanors to class 2 infractions.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: Individuals have purchased vessels and almost immediately received tickets for not registering the vessel with the Department of Licensing. Although it is necessary to hold people responsible for registering their vessels, such a violation need not be a criminal one.

Testimony Against: None.

Who Testified: PRO: Representative Kretz, prime sponsor.